

REMARKS

Reconsideration of this patent application is respectfully requested in view of the foregoing amendments, and the following remarks. Claims 1-17 and 19-20 are in the application. Claims 1-14 have been withdrawn. Claim 18 has been canceled. No new matter has been added.

The Examiner objected to claim 18 for not further limiting the claims. Applicant has canceled claim 18.

The Examiner rejected claim 15 under the doctrine of obviousness-type double patenting over copending application no. 10/813,585 in view of Haddy. Applicant respectfully traverses. The main difference between the two copending applications is that in the present case, the two different layers of the concrete pipe are formed by two different compacting tools, whereas in the parallel case, the same compacting tool is used to form both layers of the pipes. Thus, irrespective of the presence of a turntable, claim 15 of the present application differs from claim 14 of the parallel application due to the different uses of the compacting tools.

The Examiner rejected claims 15, 16, 19 and 20 under 35 USC

103 as being unpatentable over Ottmann in view of Haddy.

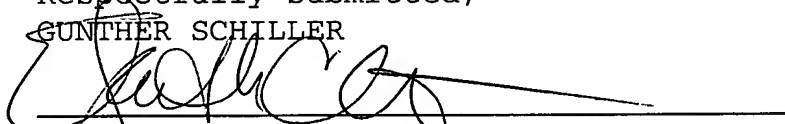
Applicant respectfully traverses. Claim 17 was rejected over these references and further in view of Kern. Claim 18 was rejected over Ottmann in view of Haddy and further in view of Gurlie.

Ottmann teaches a method for making a concrete pipe using a packerhead for distributing and pre-compacting a concrete mixture in a mold mantle. In other words, in this first step a green pipe is produced. This green pipe is then transported and lowered onto a vibrating cylinder. Due to the vibration of this cylinder, the internal diameter of the green pipe is slightly enlarged. To achieve a good internal finish of the pipe, the pipe together with its jacket is again lifted from the cylinder and repositioned on the same pipe making machine as before (see column 3, lines 33 ff). An additional amount of the same concrete mixture as before may be distributed and compacted by the same packerhead as before in order to adjust the internal diameter of the pipe after compacting by the vibration cylinder. In other words, Ottmann shows the production of a single layer concrete pipe using two steps of inserting the same concrete mixture and distributing and compacting it by the same packerhead. The intermediate step of further compacting the concrete mixture by the vibrating cylinder is not used to form an inner layer of a

different concrete mixture. Thus, Ottmann does not render obvious the subject matter of claim 15 of the present application.

Haddy discloses a concrete pipe making machine using a rotatable horizontal turntable. However, Haddy does not teach the production of a multilayer concrete pipe, or that two different compacting tools or charging systems are associated with each other via the turntable. Combining Ottmann with Haddy would not lead to the present invention because neither reference teaches a method of creating a multilayer concrete pipe, or that two different tools are used to create such a pipe. Kern and Gourlie also do not disclose a concrete pipe made of multiple layers of concrete. Accordingly, Applicant submits that claims 15-17 and 19-20 are patentable over the cited references, taken either singly or in combination. Early allowance of the claims is respectfully requested.

Respectfully submitted,
GUNTHER SCHILLER



COLLARD & ROE, P.C.

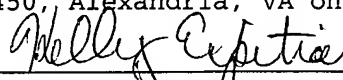
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Enclosure: Information Disclosure Statement

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Kelly Espitia